



CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

**City of Warwick Planning Board
Meeting Minutes
Wednesday, May 9, 2018**

Members Present: Benny Bergantino
Steve Catalano
James Desmarais
Vincent Gambardella
Cynthia Gerlach
Steve Horowitz
Sue Stenhouse (Arrived 6:08pm)
Philip Slocum

Members Absent: Valerie Bataille

Also in Attendance: Patricia Reynolds, Assistant Principal Planner
Lidia Cruz-Abreu, Assistant Administrative Officer
Diana Pearson, City Solicitor
Eric Hindinger, Engineering Project Manager

Chairman Slocum called the meeting to order at 6:00 p.m.

Ms. Stenhouse arrived at 6:08.

Public Meeting
Minor Subdivision
2853 West Shore Road
Preliminary

Applicant: David Freitas
Location: 2853 West Shore Road
Assessor's Plat: 348
Assessor's Lot: 744
Zoning District: A-7 Residential
Land Area: 19,055 square feet
Number of existing lots: 1
Number of proposed lots: 2
Engineer: Ocean State Planners, Inc.
Ward: 7

Mr. Richard Bzdya, PLS, Ocean State Planner, Inc.; represented the Applicant who was requesting Preliminary Approval of a Minor Subdivision. The Applicant proposed to subdivide (1) one 19,055 square foot lot to create (2) two lots; (1) one 12,050 square foot lot with an existing, legal-established, two-family dwelling, constructed in 1900, 2853 West Shore Road (to remain) with a pre-existing non-conforming garage, having less than required front-yard setback; and (1) one new 7,005 square foot lot for the development of a single family dwelling, in an A-7 Residential District.

Mr. Bzdya gave a brief description of the project, indicating that the multi-family would be accessed via Main Avenue and that the new single-family dwelling would be accessed via West Shore Road.

Ms. Gerlach indicated that she was concerned that the structure may be too close to the property line and recommended that Mr. Bzdya coordinate with the City's Building Official regarding Building Code. Mr. Bzdya indicated that he had spoken with the Building Official regarding the proposed property line and that he would contact the Building Official, prior to Final Approval.

Being no questions, the Planning Board waived the reading of the Planning Department Findings and Planning Staff read the Planning Department Recommendations into the record.

Planning Department Findings

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports established High Density Residential land uses and is generally consistent with the existing neighborhood, containing other parcels of land within the 200' radius that are fully conforming to the residential district.
2. That the Subdivision, as proposed, is consistent with the guidelines of the City's Zoning Ordinance, the existing and proposed lots meeting and exceeding the requirements of the A-7 Residential District.. The existing lot consists of an existing, legal-established, two-family dwelling, constructed in 1900, 2853 West Shore Road (to remain) with a pre-existing non-conforming garage, having less than required front-yard setback; and the new proposed lot will meet the A-7 Residential District standards.
3. That the subdivision is not within 200' of a wetland and therefore there will be no significant negative environmental impacts from the proposed development.

4. That the development, at the Preliminary Review phase, does not appear to result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to the public streets, West Shore Road and Main Avenue. The Applicant will be required to receive a RIDOT-PAP, for the proposed curb-cut/modifications prior to the Final Review Phase.
6. That the property will have access to Municipal Sewer and Water.

Planning Department Recommendations

The Planning Department recommendation is to grant Preliminary approval, with the following stipulations:

1. That the Applicant shall submit a Final Development Plan that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.
2. That the Applicant shall submit a Final Development Plan and a Record Plat that shall comply with Appendix B, Minor Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001, which shall include at a minimum, but not be limited to:
 - Note Monumentation on all property corners
 - Note curb stop for the proposed new dwelling
 - Note a 2"-2.5" caliper deciduous shade tree along West Shore Road
 - Remove existing structure driveway encroachments across proposed property lines
3. That prior to Final Approval, the Applicant shall receive all required State and Local permits; including, but not limited to, RIDOT-PAP.
4. That, prior to submission for Final Approval, the Applicant shall receive City of Warwick Water and Sewer Authority approval for utility locations.
5. That the Applicant shall submit Final Development Plans that note all stipulations and conditions.
6. That, prior to the recording of the Record Plat, the Applicant shall provide a Performance Bond for Landscaping and Monumentation.
7. That, prior to the issuance of a Certificate of Occupancy, the Applicant shall plant (1) one 2"-2.5" caliper deciduous shade tree for every 50 feet of lot frontage along West Shore Road.

8. That, prior to the issuance of a Certificate of Occupancy, the Applicant shall install all Monumentation, as depicted on the Final Development Plan/Record Plat.

Mr. Desmarais, seconded by Mr. Horowitz, made a motion to adopt the Planning Department's Findings and to grant Preliminary approval, with Final Approval through the Administrative Officer, up compliance with the Planning Department stipulations. All in favor, none opposed.

Major Subdivision
1049 & 1069 Greenwich Avenue
Master Plan

Applicant:	h.a. Fisher Homes, LLC & Three Branch, LLC
Location:	1049 & 1069 Greenwich Avenue
Assessor's Plat:	257
Assessor's Lots:	4, 14, and 192
Zoning District:	A-7 Residential
Land Area:	2.5 acres
Number of existing lots:	3
Number of proposed lots:	9
Engineer:	DiPrete Engineering
Ward:	8

Mr. Jeffery Caffrey, ESQ, Resnick and Caffrey, 300 Centerville Road; represented the Applicant who was requesting Master Plan Approval of a Major Subdivision. The Applicant proposed to subdivide and reconfigure (3) three lots totaling 2.5 acres, to create (9) nine lots; (1) one 8,567 square foot lot with an existing single-family dwelling, 1049 Greenwich Avenue (to remain), having less than required front-yard setback, and (8) eight new lots for the development of single-family dwellings on a new street, with a 4' sidewalk on one side only. The subject site is zoned Residential A-7 and the new lots will meet and exceed the dimensional requirements of the A-7 Zoning District.

Mr. Caffrey gave a brief description of the project, indicating that one of the dwellings had been abandoned and that there was a pre-existing, non-conforming dwelling that would remain.

Mr. David Russo, PE, DiPrete Engineering; gave a detailed description of the drainage, sidewalks, landscape area, drainage and State required approvals.

Mr. Slocum asked if the proposed redesign of Greenwich Avenue would impact the project. Mr. Russo indicated that the State RIDOT approvals would be required for this project, along with a sewer-line extension.

Ms. Stenhouse asked if there was sufficient area for snow storage, noting that the cul-de-sac center would be landscaped. Mr. Russo indicated affirmatively. Mr. Caffrey indicated that there would be a Homeowners' Association that would be responsible for the Landscaping.

Mr. Caffrey indicated that the Applicant had a very favorable neighborhood meeting on March 7, 2018.

Being no further questions, Ms. Stenhouse, seconded by Mr. Catalano, made a motion to open the Public Hearing. All in favor; none opposed.

Mr. Bill Russo, 31 Tex Court, indicated that he would like to see street lighting addressed, specifically LED, which included National Grid incentives. Additionally, he was concerned that the Homeowners' Association would be responsible for a failed drainage system. Mr. Hinderger indicated that if there were a failure of the system the City would be contacted, further stating that the Association is responsible for the regular maintenance of the system. Mr. Eric Hinderger indicated the currently there were no requirements for street lights.

Mr. Richard Corrente, 1115 Greenwich Avenue, indicated that the new homes would enhance the neighborhood and surrounding properties.

Mr. Gambardella asked if the neighborhood was currently sewered. Mr. Russo indicated that the proposal was to accommodate a "mini-pump station" facility until sewers were available to the properties.

Being no testimony, Mr. Gambardella, seconded by Ms. Stenhouse made a motion to close the Public Hearing. All in favor; none opposed.

Being no questions, the Planning Board waived the reading of the Planning Department Findings and Planning Staff read the Planning Department Recommendations into the record.

Planning Department Findings

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports established High Density Residential land uses and is generally consistent with the existing neighborhood, containing other parcels of land within the 200' radius that are fully conforming to the residential district.
2. That the Subdivision, as proposed, is consistent with the guidelines of the City's Zoning Ordinance, the existing parcel consisting of (3) three lots totaling 2.5 acres, which will be reconfigured to create (9) nine lots; (1) one 8,567 square foot lot with a pre-existing single-family dwelling, 1049 Greenwich Avenue (to remain), having less than required front-yard setback, and (8) eight new lots for the development of single-family dwellings on a new street, with a 4'sidewalk on one side only. The subject site is zoned Residential A-7 and the new lots will meet and exceed the dimensional requirements of the A-7 Zoning District.

3. That the subdivision does not contain wetlands on-site and at the Master Plan Review phase, therefore does not appear that there will be any significant negative environmental impacts from the proposed development. The Applicant will be required to receive all State Approval, prior to Preliminary Review phase.
4. That the development, at the Master Plan Review phase, does not appear to result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. The Applicant, prior to Preliminary Review phase will be required to receive all State and Local Approvals, which shall include, but not limited to, RIDEM, RIDOT, and local Physical Alteration Permit.
5. That the proposed development will have adequate access to the public streets, Greenwich Avenue and the New Proposed Roadway. The Applicant, prior to Preliminary Review phase, will be required to receive all State and Local Approvals, which shall include, but not limited to, RIDOT Physical Alteration Permit.
6. That the property will have access to Municipal Sewer and Water.

Planning Department Recommendations

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That all plans submitted shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994.
2. That the Applicant shall submit a Final Development Plan and a Record Plat that shall comply with Appendix C, Major Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001.
3. That prior to Preliminary approval a Stormwater Management Plan, including but not limited to, a Drainage Plan and Calculations, shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division. Prior to submission to RIDEM, the City's Engineering Division shall review and approve the proposed drainage system design.
4. That a Homeowner's Association shall be established for the Operations and Maintenance of the Stormwater Mitigation System and the maintenance of the landscaping proposed within the Right-of-Way.

5. That the Applicant shall provide concrete curbing along both sides of the roadway.
6. That the Applicant shall lengthen the proposed sidewalk, at a minimum, to the terminus of Record Lot 4, as shown on the Master Plan Submission of the Greenwich Avenue Subdivision Plan, dated 3-26-18.
7. That driveway access to proposed Record Lot 2, as shown on the Master Plan Submission of the Greenwich Avenue Subdivision Plan, dated 3-26-18, shall be modified to address irregular curb-cut.
8. That that Applicant shall remove all encroachment noted on the Master Plan Submission of the Greenwich Avenue Subdivision Plan, dated 3-26-18.
9. That the Preliminary Plan shall indicate that all roadway corners are negotiable by vehicles having an outer tire turning radius of 50 feet left or right.
10. That the Preliminary Plan shall note an adequate number of fire hydrants spaced 300 ft. apart and providing a minimum of 1000 GMP.
11. That prior to Preliminary Approval, the Applicant shall coordinate with the Kent County Water regarding connection.
12. That prior to Preliminary Approval, the Applicant shall coordinate with the City Sewer Authority regarding connection to Municipal Sewers.
13. That, prior to Preliminary Approval the Applicant, shall provide a Landscape Plan drawn by a Registered Landscape Architect in accordance with item 28 of the standard Design Review Regulation checklist that addresses the following concerns:
 - Planting and overall visual enhancement of the drainage area. Plantings should be organized to help buffer views into the detention basin area from the proposed cul-de-sac roadway and abutting properties. Plantings should be considered that mitigate erosion control and site runoff issues.
 - Planting of the center of the turning circle. The landscape architect should take into account overall aesthetics in combination with long term sustainability and maintenance when selecting appropriate plantings. Consideration should also be given to plantings or treatment along the edge of the circle where emergency vehicles or plows may negatively impact any proposed enhancements. Alternative apron treatments (such as pavers, stamped concrete, or cobblestones) may also be designed in combination with the planted center circle to reduce vehicular damage.
 - Trees shall be provided at an interval of 1 per 50' of frontage pursuant to Section D.2.3 of the City's Development Review Regulations. If a sufficient number of trees cannot be planted along the frontage areas to meet City requirements due to the location of driveways, utilities, or other impediments, the Applicant may make a contribution to the City of Warwick's Tree Trust as mitigation. In this case the Applicant shall negotiate an impact fee with the City to offset the number of trees required, but not provided, prior

to approval of the Preliminary Plan. These funds will be used to provide mitigation through the planting of trees in suitable locations elsewhere in the City.

- Trees that may be saved shall be identified on the landscape plan. Trees to be saved shall be protected throughout the duration of construction in accordance with RIDOT standard detail 51.1.1.

The Plan shall note the following:

- A complete planting schedule with plant names (Latin and common), size at install, quantity of each species, and symbols or other key information. In addition the total number of trees, shrubs, annuals, and other planted areas (i.e. square feet of turf area) shall be quantified individually in each section.
 - The location of all trees, shrubs, and other plantings with notations.
 - Standard planting notes and details for the installation of trees, shrubs, annuals, etc.
 - Location of any underground or overhead utilities.
14. That prior to Preliminary Approval, the Applicant shall receive all required State and local permits, including, but not limited to, RIDEM, RIDOT, and local Physical Alteration Permit.
15. That all utilities shall be installed underground.
16. That prior to Preliminary Approval, the Applicant shall submit a letter to the City's Building Official withdrawing approval the office use on Record Lot 9, as shown on the Master Plan Submission of the Greenwich Avenue Subdivision Plan, dated 3-26-18.

Ms. Stenhouse, seconded by Mr. Gambardella, made a motion to adopt the Planning Department's Findings and Recommendations and to grant Master Plan Approval. All in favor; none opposed.

Public Meeting
Major Land Development
1555 Warwick Avenue/Car Wash
Final Approval

Owner:	Russell M. Yates, Jr.
Applicants:	Personal Touch Carwash, and Russell M. Yates, Jr.
Location:	1555 Warwick Avenue
Assessor's Plat:	312
Assessor's Lots:	309, 310, 315, 390, and 391
Zoning District:	General Business (GB), abuts a Residential A-7 zone
Zoning Board Approved:	Petition #10449
Land Area:	174,651sf
Number of existing lots:	5
Number of proposed lots:	2
Engineer:	Crossman Engineering
Ward:	2

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Office; represented the Applicant who was requesting Final Approval of a Major Land Development Project/Subdivision for the merger of five (5) existing lots, to create two (2) lots, one (1) lot for the development of a 5,770 square foot carwash, and one (1) lot for future development. The proposed carwash will have two (2) means of ingress/egress, one (1) provided via an easement, and one (1) with direct access to Warwick Avenue.

The project had received Master Plan approval at the March 8, 2017 and Preliminary Plan Approval at the October 11, 2017 meetings of the Planning Board. On April 11, 2017 the proposal received Zoning Board of Review approval of Petition #10449 authorizing a Special Use Permit for Use Code 420. Carwash in a General Business (GB) zone, and dimensional relief for Section 300, Table 2B, for less-than-required buffer to an abutting residential zone, and the existing condition of less-than-required frontage; Section 504 for the existing condition of less-than-required wetlands setback; Section 304.6 for less- than-required public street access due to frontage dimension; Table 1, Special Use Regulations, for less-than-required frontage for the proposed carwash use; and Section 800 for signage to be located on an abutting lot.

Mr. Shekarchi indicated that the Project was at Final Approval, noting that there have been no changes to the plan since Preliminary Approval. Mr. Shekarchi stated that an environmental engineer has reviewed the project. The site was a “dirty” site and the Applicant placed a \$144,000 bond in escrow, as requested by RIDEM, to mitigate the site. The carwash would improve the current conditions as it uses recycled water. All current drainage flows into the pond, the project will be required to meet zero-net run-off.

Mr. Shekarchi presented a RIDEM report relative to an accident at the site.

Ms. Stenhouse asked about the traffic flow. Mr. Shekarchi reviewed the RIDOT approved traffic plan with the Board.

Planning Staff presented information from the Administrative Officer regarding this “Superfund” site.

Ms. Stenhouse had questions regarding the residual lot. Mr. Shekarchi indicated that the lot would require a clean-up, prior to further development. The frontage along the property would be landscaped as part of the carwash development.

Mr. Phil D’Ercole, 145 West Shore Road, indicated that the project deviates from the regulations and is opposed to the project. Mr. D’Ercole presented and read a statement.

There was conversation regarding the bond and the enforcement authority over the contamination on-site.

Ruth Page, 94 Namquid Drive, presented inaudible testimony, noting she was concerned with the number of carwashes in the vicinity of the proposed site.

Mr. Phil D'Ercole was concerned that the business would not be successful and the site would not be mitigated and his concern was water quality. Planning Staff indicated that the City was holding a bond for the mitigation and that the project was approved by the Zoning Board of Review regarding the use.

Mr. Richard Corrente, asked if the project would generate phosphorous. Mr. Slocum indicated that the question needed to be posed to RIDEM, this was not within the Board's purview.

Mr. Shekarchi introduced Mr. Vinny Porzio indicated that the carwash utilized a closed loop system that would collect 1/3-2/3 of the water and the residual would be directed into City Sewers and not into the Pond.

Being no further questions, the Planning Board waived the reading of the Planning Department Findings and Planning Staff read the Planning Department Recommendations into the record.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with RIGL 45-23-30 General Purposes of Land Development, and Article 1 "Purposes and General Statements" of the City's Development Review Regulations, that this proposal meets the Standard Provisions of RIGL 45-23-60, and makes the following findings of fact:

1. That the proposal is generally consistent with the City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites.

Over 60 percent of City residents who responded to a Comprehensive Plan survey indicated that improving the appearance of major roads and commercial corridors is "very important".

1A. That Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design element, states as a Goal that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.

1B. That the Future Land Use Map (FLUM), as contained in the Comprehensive Plan, shows this area as "mixed use." (Please note: The FLUM shows a portion of AP312, AL309 as "medium density residential use." This area should be shown as conservation/open space as it is a wetland buffer associated with Spring Green Pond.)

1C. The site is in close proximity to Hoxsie Four Corners, an area that has been identified in Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design, Strategic Priorities, to be developed as a Neighborhood Activity Center, which would establish pedestrian-friendly neighborhood centers by locating buildings close to the street, encouraging two (2) to three (3) story mixed-use buildings, and screening parking areas from the street by locating them behind the buildings.

1D. That to comply with the Goal of Chapter 12, Future Land Use of respecting environment and open space networks, and the companion policy of supporting development that enhances networks of recreational and environmentally sensitive areas, the Property Owner/Applicant has provided a dedicated area for parking to provide public access to Spring Green Pond.

2. That the proposal is in compliance with the standards and provisions of the City's Zoning Ordinance, having received on April 11, 2017, Zoning Board of Review approval, Petition # 10449, authorizing a Special Use Permit for Use Code 420. Carwash in a General Business (GB) zone, and dimensional relief for Section 300, Table 2B, for less-than-required buffer to an abutting residential zone, and the existing condition of less-than-required frontage; Section 504 for the existing condition of less-than-required wetlands setback; Section 304.6 for less-than-required public street access due to frontage dimension; Table 1, Special Use Regulations, for less-than-required frontage for the proposed carwash use; and Section 800 for signage to be located on an abutting lot.
3. That the RIDEM, Office of Water Resources, has issued an Insignificant Alteration – Permit, Application No. 17-0075 and RIPDES No. RIR101566 for the “proposed car wash facility with associated access roads, parking, Stormwater drainage treatment systems, utilities and landscaping” to be located on Lot 2.

3A. That Assessor's Plat 312, Assessor's Lots 309 and 310 are the subject of a recorded Order of Approval (OA) and Correction Action Plan (CAP) issued by RIDEM regarding groundwater contamination from a gasoline station located at 45 Airport Road.

3B. That the site is the location of a former dry-cleaning facility. Assessor's Plat 312, Assessor's Lots 315, 390, and 391 are the subject of a Notice of Violation, File No.: 2010-01-SR, revised in 2014 (2014NOV) and issued by the State of Rhode Island, Department of Environmental Management, Office of Compliance & Inspection (RIDEM OC&I). Assessor's Plat 312, Assessor's Lots 315, 390, and 391 are also the subject of a RI DEM OC&I recorded Consent Agreement, File No. 2010-01-SR, AAD No. 11-001/SRE.

3C. That the Consent Agreement,, Section (5) CONDITIONS, states that “Within 9 months of execution of this Agreement, Yates (property owner) shall submit to the RIDEM Office of Waste Management (“OWM”) a letter identifying at a minimum 2 alternatives to remediate the soil and groundwater contamination on the Property as described in the 2014 NOV that satisfy the requirements of the RIDEM's Remediation Regulations.” The Consent Agreement states, “Upon receipt of the Remedial Approval Letter (“RAL”) or Order of Approval (“OA”) from the OWM (the property owner shall) complete the remediation of the Property in accordance with all of the terms and condition of the RAL or AO and with all the applicable requirements of the RIDEM's Remediation Regulations.”

3D. That as part of the sale of Lot 2, the Property Owner has agreed to escrow funds in the amount of \$144,000.00 to provide for the remediation of Lot 1.

3E. That upon completion of the required remediation effort, there are expected to be no significant negative environment impacts from the proposed development as shown on the plan, and with all conditions of approval.

4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses access to a public street, Warwick Avenue. Proposed Lot 2 (Lot 2) will be accessed via a shared access driveway to be constructed on Proposed Lot 1 (Lot 1), and an existing access on Warwick Avenue. The Rhode Island Department of Transportation (RIDOT) has reviewed the development and found it to be acceptable, (Permit Number 170403).

5A. That a Trip Generation & Traffic Impact Study, prepared by Crossman Engineering, and dated January, 2017 concludes “that the proposed car wash will not have a detrimental impact on adjacent roadways. This conclusion is based on the following facts:

- No change in the level of service at the signalized intersection to the south.
 - The proposed access intersections will operate at good levels of service for the mainline.
 - The proposed site drives will experience delay, which is normal for driveways at a busy arterial, but provide more than enough queuing space for the short queues anticipated.
 - The car-wash is not a high traffic generator.
 - There is adequate sight distance at the proposed access drives.”
6. That municipal sewer service is available to the site. Assessments for all lots have been paid in full.
 7. That municipal water is available to the site, with existing services, which may or may not be utilized for the development.

Planning Department Recommendation

Planning Department recommendation is to grant Final Approval, with the following stipulations:

1. That the Property Owner shall return to the Planning Board for approval of the future development of Proposed Lot (Record Lot 1, as shown on the Preliminary Plan Submission of the Warwick Avenue Plat Subdivision Plan, dated 11-28-17). The development of Lot 1 shall be consistent with the goals and objectives of the City’s Comprehensive Plan, specifically conforming to the intent and design of a Neighborhood Activity Center.

2. That, the Property Owner shall record a subdivision as per The City of Warwick's Development Review Regulations; All survey Monumentation must be set prior to recording of the Final Subdivision Plan., or a bond shall be posted. Assessor's Lot number 315 shall be retained for Lot 1 (lot for future development). Assessor's Lot number 310 shall be retained for Lot 2 (car-wash lot).
3. That the revised RIDEM Office of Compliance documents, (the amended OA for lots 309 and 310 and the amended Consent Agreement for lots 315, 390 and 391, and any approval issued by the RIDEM for the CAP Addendum, shall be recorded in the Land Evidence Records at the time of the recording of the Final Subdivision Plan, which creates two (2) new lots from the five (5) existing lots.
4. That at time of the sale of Lot 2, the Applicant shall establish an escrow account for the remediation of Lot 1. This escrow shall be held by an attorney, and the disbursement of funds shall be used for payment of future property taxes on Lot 1, remediation of ground water contamination on Lot 1, and payment of penalties owed to RIDEM. Funds in the escrow account shall not be used for any other purpose. Disbursement of funds from the escrow account shall require written approval from the approving authority, RIDEM.
5. That as part of the recording of the Final plan, the Property Owner/Applicant shall record easements relative to:
 - a. the driveway access to Lot 2, across Lot 1;
 - b. the signage for the use located on Lot 2, to be located on Lot 1;
 - c. the fishing easement for public access to Spring Green Pond;
 - d. the crushed stone parking area for the public parking
6. That the Applicant/Property Owner shall post a performance bond, to the City of Warwick, in the amount of \$155,000.00, for landscape installation and bound installation and preservation. The bond shall be automatically renewable and shall not expire or be cancelled without the prior authorization/approval of the City of Warwick.
7. That a Soil Erosion and Sediment Control Permit shall be obtained from the Building Department prior to the commencement of any work on-site; soil erosion and sediment control measures must be properly maintained throughout construction.
8. That the Project Engineer shall inspect the installation of the Stormwater Management System and submit a certification that the construction substantially conforms to the approved plans. In addition, the Project Engineer shall prepare an as-built plan of the system; highlighting any significant deviations from the approved plan. Changes from the approved design plan will require prior authorization from the Approving Authority.
9. That the Property Owners shall be provided with the as-built plan and the Operation and Maintenance Plan for the Stormwater Management System; the Property Owners shall be responsible for the long-term maintenance and operation of the Stormwater Management System and shall submit an annual report detailing all inspections and maintenance performed on the System to the Department of Public Works.

10. That the Project Engineer shall submit interior and exterior plumbing plans to the Sewer Authority, and provide a detailed, As-Built drawing after the work is completed and inspected.
11. That due to the proximity of the southerly driveway to the intersection of Warwick Avenue/West Shore Road/Airport Road, the driveway shall be restricted to right turn in/right turn out movements.
12. That the former dry-cleaning building located on Lot 1 shall be demolished prior to the issuance of any permits for construction on Lot 2. The foundation of the former dry-cleaning building, which is required to remain undisturbed due to site issues, shall be covered with loam and seeded. This shall be noted on the Final Landscape plan.
13. That, prior to the issuance of any permits for construction, the Warwick Fire Department shall review the plans for compliance with all life safety codes and issues.
14. That all signage shall conform to the Zoning Board Approved Petition #10449, and the standards of the Warwick Zoning Ordinance, Section 800. The sign designs shall be approved by the Administrative Officer to the Planning Board prior to permitting. Please note that LED advertising message boards are prohibited.
15. That the exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent residential properties. The applicant shall also protect the neighboring properties from the noise nuisance generated from the central vacuum system by locating the system away from the residential zone line to the extent practicable.

Mr. Gambardella, seconded by Mr. Howowitz, made a motion to adopt the Planning Department's Findings and Recommendations and to grant Final Approval. All in favor; none opposed.

On a motion by Ms. Stenhouse, seconded by Mr. Bergantino, Mr. Catalano, and Mr. Horowitz the meeting was adjourned at 7:20 p.m. All in favor; none opposed.